

DETAILED ACTION

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).**
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

1. The Brief Description of the drawings should be placed between the Summary of Invention and the Detailed Description of the Invention.

Appropriate correction is required.

Claim Objections

2. Claim 3 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative form only. See MPEP § 608.01(n). Accordingly, the claim 3 has not been further treated on the merits. Accordingly, the examiner will interpret claim 3 as being dependent of claim 2.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recite the limitation "the suture part" in line 4 and 7. There is insufficient antecedent basis for this limitation in the claim.

Furthermore, "the suture part" is indefinite since it is unclear from the claim and the specification what the applicant means by the suture part.

The examiner will interpret this limitation to mean the piece of tissue that is being sutured.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Peters et al. (5,549,619).

Peters discloses the following claimed limitations:

Claim 1: A suture material used during a surgery, wherein a metal needle (7) is attached with insert-mould method (Col. 3 Lines 5-6) inserted within resin material (1) (Col. 3 Lines 30-33), attached to one end (6) of a resin suture material (6) as shown in Fig. 1.

Claim 2: That the center part of the resin suture material (1) is in a sash form (Fig. 1), the surface of the sash has a multiple number of serial projections (2) formed to prevent untwining, the other end is formed in a box form (3), and when the needle pierces (7) through the suture part (the needle passes through the piece of tissue which is being sutured), the needle is cut off (the needle can be cutoff at any point of the procedure once it has passed the suture part meaning the tissue that is being sutured); the cut section is passed through the box (3) (Fig. 1 shows the resin passing through the box but the needle is still there although the needle can be cut after it has passed the suture part before passing though the box), the lower part of the upper portion of the inside of the box (3) having receptors (4) to receive the untwine-prevention projections (Fig. 1), and thus the suture part can be gradually fastened and fixed (Fig. 1).

Claim 3: That the resin (1) is made of material that can be absorbed inside the body with mechanisms such as hydrolysis or decomposition by enzymes (Col. 3 Lines 30-33).

Claim 4: A manufacturing method for the above surgical suture material (1), wherein the metal needle (7) which is made of insert-mould method (Col. 3 Lines 5-6) made in a

curved shape (Fig. 1), and the curved direction is formed so that the needle can stand perpendicular against the suture material plane (Fig. 1).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents Cooper (5,683,417), Wilk et al. (5,123,913), Granger et al. (5,102,418), Yoon et al. (4,981,149), and Lemole (3,570,497) all disclose a suture with a molded needle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIANNE DORNBUSCH whose telephone number is (571)270-3515. The examiner can normally be reached on Monday through Thursday 7:30 am to 5:00 pm Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrance Till can be reached on (571) 272-1280. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. D./
Examiner, Art Unit 4175

/Brian D Nash/
Primary Examiner, Art Unit